REMARKS

Applicants express appreciation to the Examiner for the interview held on June 8, 2006. The claims have been amended as proposed at the interview. By this paper, claims 1 – 29 have been cancelled and new independent claims 30 and 31 directed to a kit have been added. Thus, claims 30 and 31 are presented for reconsideration.

In the Office Action the claims were rejected under 35 U.S.C. §§ 102(b) and 103(a) as either anticipated by U. S. Pat. No. 4,684,367 (Schaffer et al.), or as obvious in view of Schaffer et al. taken in combination with U. S. Pat. No. 5,059,182 (Laing).

As discussed at the interview, Schaffer et al. discloses a system for ambulatory intravenous delivery of substances to a patient. The reference discloses a vest which can be worn by a patient, and on which the apparatus of the intravenous delivery system is mounted. The delivery system includes an IV bag 10 (see Fig. 1), a C02 cartridge 12 for pressurizing the IV bag's compartment 11 which contains the IV fluid, a hand pump 21 which serves as an alternative pressure source, a regulator valve 22 for maintaining a constant pressure, a pressure gauge 24, and a metering and control apparatus 30 with a stepper motor 50 for monitoring and controlling flow rate of the IV fluid. The CO2 cartridge and hand pump are connected to a valve 23 for controlling which of the pressure sources is connected to the IV bag 10.

The secondary reference (Laing) was cited as disclosing a portable infusion device (see Fig. 1) which includes a pressure relief valve 142, which the Office action asserted as combinable with the system of Schaffer et al.

However, notably, neither reference discloses or suggests, either singly or in combination, a plurality of modularized components which are connectable in any of a variety of ways to form different infusion systems that may be varied according to particular needs of a patient given the circumstances of the patient (i.e., an emergency or critical care circumstance requiring rapid infusion using a motorized pump, or use of a manual pump for more stable patient circumstances).

In contrast, as presented in claim 30 herein, applicants' invention is directed to a kit containing a plurality of modularized components which allow "a user to modify the configuration of the pressure infuser apparatus to correspond to the infusion needs of the

patient." Thus, the components of the kit can be "adapted for connection of a pressure infusion apparatus having at least any one of the following configurations:

(1) the pressure infuser bag module being connected to the pressure relief valve, which in turn is connected through a length of tubing to the manual pump;

(2) the pressure infuser bag module being connected to the pressure relief valve, which in turn is connected through a length of tubing to the motorized pump;

(3) the pressure infuser bag module being connected to the motorized pump, which is then connected through another length of tubing to the pressure relief valve, which is then connected to the manual pump; or

(4) the pressure infuser bag module being connected to the pressure relief valve, which is then connected through a length of tubing to the motorized pump, and also being connected to the manual pump module."

As claimed (see claim 30), the pressure infuser apparatus kit comprises the following components:

(a) a pressure infuser bag module comprising,

a pressure infuser bag for applying pressure to the infusate bag,

a first length of tubing connected at one end to the pressure infuser bag;

(b) a motorized pump for applying pressure to inflate the pressure infuser bag, the motorized pump comprising a coupler for connecting the motorized pump to a length of tubing;

(c) a manual pump module comprising,

a manual pump for inflating the pressure infuser bag, and

a second length of tubing connected at one end to the manual pump;

(d) a pressure relief valve for preventing the pressure of the pressure infuser bag from exceeding a given pressure, the pressure relief valve, the pressure relief valve comprising inlet and outlet connectors for permitting connection to tubing at inlet and outlet ends of the valve; and

(e) second and third lengths of tubing, each having a connector at at least one end thereof."

Claim 31 is similar, but also adds a two-way stopcock as one of the kit components, and thus a greater variety of connectable configurations as a result.

The prior art does not anticipate or make obvious the claimed kit for modularized components which are connectable in any of a variety of ways to form different infusion systems that may be varied according to particular needs of a patient given the circumstances of the patient (i.e., an emergency or critical care circumstance requiring rapid infusion using a motorized pump, or use of a manual pump for more stable patient circumstances). This allows the motorized pump module to be utilized for other patients, for example in an emergency room or critical care unit. Ability to remove the motorized pump is also helpful when moving a patient to another location, or when the patient needs to ambulatory. Applicants' invention, as claimed, solves this need.

As noted in the interview summary, the "new independent claims directed to a kit to the modularized components adapted to create different configurations of a pressure infuser apparatus . . . (patterned after the claims at the interview) appear to differentiate over the prior art of record."

Lastly, as agreed at the interview, applicants have also submitted herewith a terminal disclaimer over the patent granted for applicants' parent application.

Since there are no other unresolved issues of record, favorable reconsideration and action is courteously requested. In the event the Examiner finds any remaining impediment to allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 20 day of June, 2006.

Respectfully submitted,

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